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DATE: November 16, 2007

PTO IDENTIFIER: Application Number 08/819,669-Conf. #1995  
Patent Number

Inventor: Thierry Boon-Falleur et al.

US Patent and Trademark Office  
MESSAGE TO: Examiner Philip Gambel  
Supervisory Christina Chan  
Director John Leguyander

FAX NUMBER: (571) 273-8300 & (571) 273-0844 & (571) 273-0841

FROM: FULBRIGHT & JAWORSKI L.L.P.  
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Attorney Dkt. #: NY-LUD 5253-US5-DIV (09885911)

PAGES (Including Cover Sheet): 4

CONTENTS: Request That Advisory Action Be Vacated And An Office Action Be Sent (2 pages)  
Certificate of Transmission (1 page)

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PTO/SB/97 (09-04)

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Application No. (if known): 08/819,669

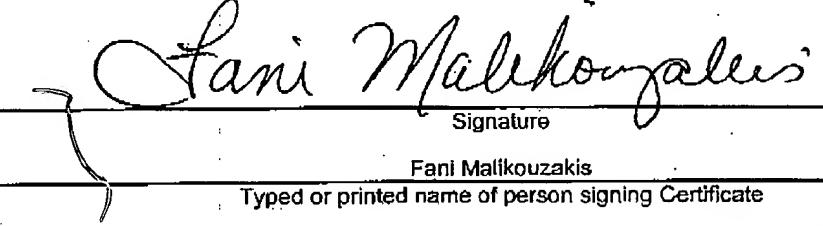
Attorney Docket No.: NY-LUD 5253-US5-DIV

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SignatureFani Malikouzakis

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Request That Advisory Action Be Vacated And An Office Action Be Sent  
(2 pages)

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**NOV 16 2007**

Docket No.: NY-LUD 5253-US5-DIV  
(PATENT)

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Dated: November 16, 2007

Signature:

(Fani Malikouzakis)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Thierry Boon-Falleur et al.

Application No.: 08/819,669

Confirmation No.: 1995

Filed: March 17, 1997

Art Unit: 1644

For: TUMOR REJECTION, ANTIGEN  
PRECURSORS, TUMOR REJECTION  
ANTIGEN S AND USES THEREOF

Examiner: P. Gambel

**REQUEST THAT ADVISORY ACTION BE VACATED AND AN OFFICE  
ACTION BE SENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Communication of October 23, 2007, was an Advisory Action. It is believed that this is improper, and an Office Action should have issued.

The prior action in the case was a non-final rejection. Applicants filed a Notice of Appeal, as a matter of right, because the USPTO delayed in resolving the correction of inventorship issue.

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Application No.: 08/819,669

Docket No.: NY-LUD 5253-US5-DIV

Advisory actions are issued following a response to a FINAL rejection. See MPEP 706.07(f), and 714.13. There was no pending final rejection in this case, so the Advisory Action was improper.

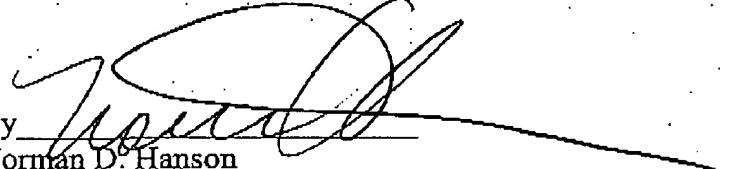
It is requested that the Advisory Action be vacated promptly and that a proper Office Action issue.

\* \* \*

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0624, under Order No. NY-LUD 5253-US5-DIV (09885911) from which the undersigned is authorized to draw.

Dated: November 16, 2007

Respectfully submitted,

By   
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